

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

<b>SECURITIES AND EXCHANGE COMMISSION,</b>	:	
	:	
	:	
<b>Plaintiff,</b>	:	<b>Civil Action No.</b>
	:	<b>1:12-cv-2296-TCB</b>
	:	
	:	
<b>v.</b>	:	
	:	
<b>AUBREY LEE PRICE;</b>	:	
<b>PFG, LLC; PFGBI, LLC;</b>	:	
<b>MONTGOMERY ASSET</b>	:	
<b>MANAGEMENT, LLC f/k/a PFG</b>	:	
<b>ASSET MANAGEMENT, LLC (Florida</b>	:	
<b>Limited liability company); and</b>	:	
<b>MONTGOMERY ASSET</b>	:	
<b>MANGEMENT, LLC f/k/a PFG</b>	:	
<b>ASSET MANAGEMENT,</b>	:	
<b>LLC (Georgia limited liability company),</b>	:	
	:	
<b>Defendants.</b>	:	
	/	

**RECEIVER’S SUPPLEMENT TO THIRD STATUS REPORT**

Melanie E. Damian, Esq., the court-appointed receiver (the “Receiver”) in the above-captioned enforcement action, hereby submits her Supplement to Third Status Report and states as follows:

The Receiver’s Third Status Report indicated that, within thirty (30) days of filing the Report, the Receiver would file a supplement that provides preliminary

forensic analyses performed by her forensic accountant, Kapila & Company (“KCO”), regarding transfers to and from the Receivership Defendants, including transactions related to the Montgomery Bank & Trust (“MB&T”) stock purchase, investor inflows and outflows, and transactions involving potential fraudulent transferees. The Receiver’s legal counsel has made significant progress in gathering tens of thousands of pages of financial records from various banks and other financial institutions, and KCO has analyzed those records and prepared a comprehensive consolidated reconstruction of accounts of the Receivership Defendants and related entities and persons, comprising more than 15,000 transaction line items related to, among other things, transfers to and from the Receivership Defendants, including transactions related to the initial MB&T stock purchase and subsequent investments in the bank, and transactions involving investors and/or potential fraudulent transferees.

Nevertheless, despite their diligent efforts, the Receiver and her team have not yet obtained and analyzed all the records necessary to complete the forensic analyses of all of foregoing transactions. Indeed, KCO cannot complete its analyses of the transfers between the Receivership Entities and MB&T, investors and potential fraudulent transferees until further records are located and analyzed and the pertinent information is incorporated into the consolidated reconstruction.

As such, the Receiver and her team will continue their efforts to locate the documents necessary for the forensic account to complete its analyses regarding the foregoing transactions. The Receiver will present to the Court the preliminary forensic conclusions regarding the transactions involving MB&T, investors and potential fraudulent transferees in her next Status Report or in a subsequent Status Report when she is satisfied that the conclusions are sufficiently informed and reliable.

Respectfully submitted this 30<sup>th</sup> day of May, 2013.

DAMIAN & VALORI LLP  
*Counsel for the Receiver*  
1000 Brickell Avenue, Suite 1020  
Miami, Florida 33131  
Telephone: 305-371-3960  
Facsimile: 305-371-3965

/s/ Kenneth Dante Murena  
Kenneth Dante Murena, P.A.  
Florida Bar No. 147486  
*Admitted Pro Hac Vice*

HOLLAND & KNIGHT LLP  
/s/ John M. Hamrick  
John M. Hamrick  
Georgia Bar No. 322079  
Suite 2000, One Atlantic Center  
1201 West Peachtree Street, N.E.  
Atlanta, Georgia 30309-3453  
(404) 817-8500  
(404) 881-0470 (fax)  
[john.hamrick@hklaw.com](mailto:john.hamrick@hklaw.com)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of **Receiver's Supplement to Third Status Report** was served via CM/ECF this 30<sup>th</sup> day of May, 2013, upon all counsel of record and to all parties listed on the attached Service List.

/s/ Kenneth Dante Murena  
Kenneth Dante Murena, P.A.  
Florida Bar No. 147486  
*Admitted Pro Hac Vice*  
DAMIAN & VALORI LLP  
*Counsel for the Receiver*  
1000 Brickell Avenue, Suite 1020  
Miami, Florida 33131  
Telephone: 305-371-3960  
Facsimile: 305-371-3965

HOLLAND & KNIGHT LLP  
/s/ John M. Hamrick  
John M. Hamrick  
Georgia Bar No. 322079  
Suite 2000, One Atlantic Center  
1201 West Peachtree Street, N.E.  
Atlanta, Georgia 30309-3453  
(404) 817-8500  
(404) 881-0470 (fax)  
[john.hamrick@hklaw.com](mailto:john.hamrick@hklaw.com)

**SERVICE LIST**

W. Shawn Murnahan, Esq.

Email: [murnahanw@sec.gov](mailto:murnahanw@sec.gov)

Elizabeth Skola, Esq.

Email: [skolae@sec.gov](mailto:skolae@sec.gov)

Securities and Exchange Commission  
950 East Paces Ferry Road, N.E., Ste.  
900

Atlanta, GA 30326

*Via CM/ECF*

Robert J. Waddell, Jr., Esq.

*Counsel for FDIC*

Email:

[rwaddell@mcguirewoods.com](mailto:rwaddell@mcguirewoods.com)

Laura E. Reinhold, Esq.

Email:

[lreinhold@mcguirewoods.com](mailto:lreinhold@mcguirewoods.com)

McGuire Woods, LLP

Suite 2100, Promenade II

1230 Peachtree Street, NE

Atlanta, GA 30309

*Via CM/ECF*

Kathryn Giardina

c/o Robert E.L. Garner, Esq.

Email: [relg@hsy.com](mailto:relg@hsy.com)

Haskell Slaughter Young & Rediker,  
LLC

2001 Park Place, Suite 1400

Birmingham, Alabama 35203

*Via E-Mail*

Michael J. Athans, Esq.

*Attorney for Evanston Insurance*

Email: [mathans@fieldshowell.com](mailto:mathans@fieldshowell.com)

191 Peachtree Street NE, Suite 4600

Atlanta, GA 30303

*Via CM/ECF*